

RESPONSE UNDER 37 CFR §1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1638

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

STEPHEN M. ALLEN ET AL.

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APPLICATION NO.: 10/659,199

CASE NO.: BB1157USCNT

AUG 31 2006

FILED: SEPTEMBER 10, 2003

GROUP ART UNIT: 1638

EXAMINER: KUBELIK, ANNE R.

CONFIRMATION NO.: 5569

CUSTOMER NO.: 23906

FOR: A NUCLEIC ACID ENCODING  
A WHEAT BRITTLE-1 HOMOLOGRESPONSE AFTER FINAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is an Amendment and Response to the Final Office Action mailed March 8, 2006. A petition for a three-month extension and a Request for Continued Examination is filed simultaneously herewith.

Please amend the above-referenced application as follows and consider the following remarks:

**Amendments to the Claims** are reflected in the listing of the claims which begins on page 2 of this paper.

Remarks begin on page 3 of this paper.